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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09 997,794	11 30 2001	Chul Ha Kim	CU-2735 VE	4976

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LADAS & PARRY
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EXAMINER

DUONG, TAI V

ART UNIT	PAPER NUMBER
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2871

DATE MAILED: 06 04 2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/997,794

Applicant(s)

KIM ET AL.

Examiner

TAI DUONG

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 1 and 5, it is unclear whether the recited feature "the voltages" (last two lines) refers to the "data voltage" or different voltages (see last Office action). If "the voltages" refer to the data voltages, it is unclear how the sum of the (data) voltages applied to the pixel region has a *zero* voltage because the same data voltage with *same* polarity is applied to the second transparent electrode in a first region and to the first transparent electrode in a second region. If "the voltages" refer to voltages different from the data voltage, "the voltages" lack antecedent basis, and claims 1 and 5 lack essential elements and essential steps for providing the recited result "the sum of the voltages applied to the pixel region having a *zero* voltage". In claim 5, it is unclear whether the limitation "a data voltage being applied to the second transparent electrode in a first region and to the first transparent electrode in a second region via a common electrical connection, a sum of the voltages applied to applied to the pixel region having a zero voltage" is a step of the method of fabricating the LCD or a step of a method of using (operating step, i.e. applying voltages) the LCD. See last Office action. In addition, it is unclear in which step of claim

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5 the "common electrical connection" is formed. The remaining claims are also rejected since they depend on the indefinite claims.

In claim 6, line 7, it is suggested to delete "the" before "first transparent electrode portions" for the claim language being clear.

In claim 7, lines 3-4, it is suggested to change "Claims 5 and 6 including the first transparent electrode divided into at least two regions" to "Claim 6" for the claim language being clear.

The following is a statement of reasons for the indication of allowable subject matter:

None of the prior art of record discloses or suggests a fringe field switching mode LCD or a method of making a LCD wherein the LCD comprises a pixel region defined in a space formed by the gate lines and data lines, a first transparent electrode formed in the pixel region and divided in at least two regions, a second transparent electrode insulated from the first transparent electrode, the second transparent electrode being divided in regions as many as the first transparent electrode, a data voltage being applied to the second transparent electrode in a first region and to the first transparent electrode in a second region via a common electrical connection, the sum of the voltages applied to the pixel region having a zero voltage.

Claims 1 and 5 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

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Claims 2-4 and 6-9 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Tai Duong at telephone number 703 308-4873.

TD

TVD

05/03

TOANTON
PRIMARY EXAMINER